

### **REMARKS**

In the August 31, 2005 Office Action, claims 1-3, 5-12, 14-20, 22-24 and 26-28 stand rejected in view of prior art, while claim 21 was indicated as allowed. Claim 20 was also rejected for failing to comply with the enable requirement.

#### ***Status of Claims and Amendments***

In response to the August 31, 2005 Office Action, Applicants have amended the claims as indicated above. Applicants wish to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application. Thus, claims 1-3, 5-12, 14-24 and 26-28 are pending, with claims 1, 10, 20, 21, 23 and 28 being the independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of the above amendments and the following comments.

#### ***Claim Rejections - 35 U.S.C. §112***

In paragraph 2 of the Office Action, claim 20 was rejected under 35 U.S.C. §112, first paragraph. In response, Applicants have amended claim 20.

Specifically, claim 20 now states that the number of nozzles is determined in response to a size of the substrates to maintain a predetermined thickness of the drying fluid on the fluid face of the cleaning fluid. Applicants respectfully submit that, in view of the disclosure of the present application, one of ordinary skill in the art would be able to determine the number of nozzles based on the size of the substrates and the predetermined thickness needed.

Applicants believe that the claims now comply with 35 U.S.C. §112, first paragraph. Withdrawal of the rejection is respectfully requested.

#### ***Rejections - 35 U.S.C. § 102***

In paragraphs 4 and 5 of the Office Action, claims 1, 3, 5, 7-12, 14, 17, 22-24 and 28 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,653,045

(Ferrell) or U.S. Patent No. 5,772,784 (Mohindra et al). In response, Applicants have amended independent claims 1, 10, 23 and 28 to clearly define the present invention over the prior art of record.

In particular, independent claim 1 recites a method step of supplying liquid drops onto a fluid face of a cleaning fluid such that a thickness of a liquid layer of the drying fluid on the cleaning fluid is continuously maintained to be equal to or greater than a predetermined thickness. This method step is *not* disclosed or suggested by Mohindra et al or any other prior art of record.

Independent claims 10, 23 and 28 recite a means for controlling or a control device configured for controlling the supply of the inert gas and for maintaining a predetermined thickness of the drying fluid on the cleaning fluid. This structure is *not* disclosed or suggested by Ferrell, Mohindra et al or any other prior art of record.

It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference.

Mohindra et al discloses a gas inlet 306 to introduce a carrier gas, such as isopropyl alcohol. However, independent claims 1, 10, 23 and 28 require introducing a drying fluid under a *liquid* condition.

Moreover, Ferrell or Mohindra et al does not disclose a method step of supplying liquid drops onto a fluid face of a cleaning fluid such that a thickness of a liquid layer of the drying fluid on the cleaning fluid is continuously maintained to be equal to or greater than a predetermined thickness. In addition, Ferrell or Mohindra et al does not disclose a means for controlling or a control device configured for controlling the supply of the inert gas and for maintaining a predetermined thickness of the drying fluid on the cleaning fluid. Therefore,

Applicants respectfully submit that claims 1, 10, 23 and 28 are not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that dependent claims 3, 5, 7-9, 11, 12, 14, 17, 22 and 24 are also allowable over the prior art of record in that they depend from independent claims 1, 10 and 23 and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate independent claims 1, 10 and 23, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

***Rejections - 35 U.S.C. § 103***

In paragraphs 7-11 of the Office Action, claims 1-3, 5-9, 15, 16, 18, 19, 26 and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ferrell in view of Mohindra et al or U.S. Patent No. 4,816,081 (Mehta et al), U.S. Patent No. 6,216,709 (Fung et al), U.S. Patent No. 6,152,153, U.S (Takase et al) and Patent No. 6,247,479 (Taniyama et al).

As stated above, Ferrell or Mohindra et al does not disclose the claimed limitations of independent claims 1, 10 and 23. Fung et al, Takase et al and Taniyama et al do not remedy the deficiencies of Ferrell and Mohindra et al. Fung et al, Takase et al and Taniyama et al do not disclose a method step of supplying liquid drops onto a fluid face of a cleaning fluid such that a thickness of a liquid layer of the drying fluid on the cleaning fluid is continuously maintained to be equal to or greater than a predetermined thickness. Furthermore, Fung et al, Takase et al and Taniyama et al do not disclose a means for controlling or a control device configured for controlling the supply of the inert gas and for maintaining a predetermined thickness of the drying fluid on the cleaning fluid.

It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicants' unique device and method for drying substrates.

Applicants believe that dependent claims 2, 3, 5-9, 15, 16,, 18, 19, 26 and 27 are allowable over the prior art of record in that they depend from independent claims 1, 10 and 23, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1, 10 and 23, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments and amendments.

***Allowable Subject Matter***

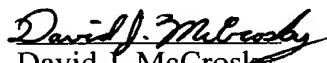
In paragraph 12 of the Office Action, claim 21 was indicated as allowed. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. Thus, independent claim 21 is believed to be allowed.

Appl. No. 9/936,618  
Amendment dated February 24, 2006  
Reply to Office Action of August 31, 2005

*Conclusion*

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-3, 5-12, 14-24 and 26-28 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

  
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Dated: February 24, 2006

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